

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

YAHOSHUA- YISRAEL: YAHWEH
Ex Relatione Azez Ellis

PLAINTIFF

v.

CIVIL ACTION NO.: 3:16-cv-00186-GHD-JMV

KEN ADAMS, STEVE JUBERA,
JOHN CHAMPION, BILL RASCO,
LENT RICE, JASON MITCHELL,
THE STATE OF MISSISSIPPI, DESOTO
COUNTY GOVERNMENT, DESOTO
COUNTY SHERIFF'S DEPARTMENT, and
JOHN DOES 1-20

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATIONS,
DISMISSING CLAIMS, AND CLOSING CASE**

Presently before the Court is the Report and Recommendations [8] of the United States Magistrate Judge dated March 22, 2017 and duly mailed to *pro se* Plaintiff via the United States Postal Service that same day. On March 30, 2017, the *pro se* Plaintiff filed a 27-page objection [10] to the same which he calls an "AFFIDAVIT/WRIT OF ERROR CORAM NOBIS/CORAM VOBIS." Upon due consideration of the foregoing, as well as the record of this action, the Court finds that the Report and Recommendations [8] of the Magistrate Judge should be approved AND adopted as the opinion of this Court.

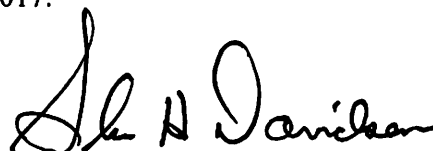
The Magistrate Judge's Report and Recommendations [8] thoroughly details the reasons this action should be dismissed *sua sponte* of this Court and is hereby incorporated into this order. Among the reasons listed by the Magistrate Judge for dismissing the action is that the action is barred by *res judicata*, because it is identical to a complaint filed in an earlier case also filed in the United States District Court for the Northern District of Mississippi, Civil Action No. 3:13-cv-00040-MPM-SAA, styled *Yahoshua-Yisrael: Yahweh v. Ken Adams, et al.* That action was dismissed for failure to state a claim in an Order [33] dated February 19, 2014. Furthermore, as detailed by the Magistrate

Judge, Plaintiff's purported claims for violations of 42 U.S.C. §§ 1983 and 1985 and state tort claims are barred by the applicable statutes of limitations, and his other allegations are frivolous and fail to state a claim upon which relief may be granted. Plaintiff has failed to show to the contrary in his objections to the Report and Recommendations.

The Court therefore ORDERS as follows:

1. The Report and Recommendations [8] of the United States Magistrate Judge dated March 30, 2017, is hereby approved and adopted as the opinion of the Court; and
2. This case is hereby DISMISSED.

SO ORDERED, this, the 15th day of May, 2017.

A handwritten signature in black ink, appearing to read "Stephen H. Davidson". The signature is written in a cursive, flowing style with a large initial "S".

SENIOR UNITED STATES DISTRICT JUDGE